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8	IN THE UNITED STATES DISTRICT COURT			
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
10				
11	KENNETH CARROLL FITZHUGH, JR.,) No. C	C 07-1091 RMW ((PR)
12	Petitioner,)) JUDO	GMENT	
13	V.)		
14	JOHN MARSHALL, Warden,)		
15	Respondent.)		
16		_)		
17	The court has granted respondent's motion to dismiss the petition as untimely. A			
18	judgment of dismissal is entered. The clerk			
19	IT IS SO ORDERED. Dated: 2/10/09	Kona	eld M. W	huto
20	Dated:2/10/09	KONALD I	M. WHYTE	
21		United State	es District Judge	
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